

## Feds Appeal \$102 Million Award To Men FBI Framed

In July 2007 U.S. District Judge Nancy Gertner awarded \$101.75 million to four men and their families for the FBI's involvement in causing the men to be maliciously prosecuted and wrongly convicted in 1968 for murdering Edward Deegan near Boston. Two of the men, Louis Greco and Henry Tameleo, died in prison so their compensation of \$28 million and \$13 million respectively, would go to their heirs. The other two men Joseph Salvati and Peter Limone, were respectively awarded \$29 million for 30 years, and \$26 million for 33 years of wrongful imprisonment. Salvati is now 75, and Limone 73.

The \$101.75 million judgment, the largest in United States history related to wrongful convictions, was formally entered in December 2007, and it began accruing interest at the rate of more than \$100,000 per week. In February 2008 Judge Gertner's 235-page decision awarding the compensation was appealed by the U.S. Department of Justice to the federal First Circuit Court of Appeals.

Salvati's longtime attorney Victor Garo said the appeal didn't surprise him, "The federal government has never, ever acknowledged that they've done anything wrong in this matter, so why should they not appeal? It was more important for the FBI to protect their murderous informants than it was for them to protect innocent men who had young families." Garo also said that if the award is upheld, the appeal will cost the government more than \$5 million per year in interest plus legal fees.

See previous *Justice:Denied* articles, FBI's Legacy of Shame, *Justice:Denied*, Issue 27, Winter 2005.

Four Innocent Men Awarded \$101.75 Million By Federal Judge Nancy Gertner For FBI Frame-up, *Justice:Denied*, Issue 27, Summer 2007.

Additional source:

Justice Dept. appealing awards in Deegan case, *Boston Herald*, February 16, 2008.

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Seattle, Washington area college student Katherine M. Clifton reported on July 9, 2007 that she had been raped in her home by one of her professors. Clifton, 21, reported to King County Sheriff deputies that four days earlier the professor entered her Woodinville house at 7 a.m. and raped her.

Clifton told detectives the professor was obsessed with her, and she showed them emails in which he said he had "romantic feelings" for her and he suggested that he would raise her grade if she agreed "to a few conditions." She also said that at least 15 times since March 2007 the professor had "randomly showed up at locations she frequented," and she gave the detectives a King County District Court restraining order against the professor.

When the professor was questioned he denied all of Clifton's allegations, telling the detectives that he had never seen her off the campus and he had no interest in her. He admitted that he had sent her emails related to the class she was taking, but when shown the ones she gave the detectives, he said they had been altered.

Three days after Clifton reported being raped, the professor was arrested and charged with burglary with sexual motivation and first-degree rape – both class A felonies. The King County Prosecutor's Office asked for \$500,000 bail, describing the professor as "an extreme threat to the victim and the community." After his arrest the professor was placed on leave from his job.

With the professor adamantly denying the charges, the detectives took a closer look at the emails. They concluded that the text had been altered from the emails sent by the professor. They also learned that none of the professor's fingerprints were found in Clifton's house, and a sexual-assault examination of her found no evidence she had been raped. The detectives also checked into the restraining order she had provided them with: the judge's signature was illegible and the case number didn't match any King County case.

After nine days in jail, the professor was released on bail on July 21.

On July 25 the detectives confronted Clifton with what they learned from their investigation. She admitted that she created the restraining order on her computer and forged the judge's signature. She also admitted that she had altered the emails on her computer, the professor did not rape her, and that she had never seen him off the campus. The next day the rape and burglary charges were dismissed against the professor, and a day later, July 27, Clifton was charged with the misdemeanor of making false statements to a public servant.

## Woman Convicted Of Fabricating Rape Complaint

By JD Staff



Katherine M. Clifton

Clifton pled guilty on March 17, 2008 to making false statements to a public servant. King County District Court Judge Peter Nault called the case one of the "saddest" he'd ever seen in court. He also said "That we hurry to castigate a person who turns out to be entirely innocent ... I don't know how it could be worse."

Clifton did not make a statement prior to her sentencing, but her lawyer told Nault that she had "extremely deep remorse" for making the false statements and that she was bothered by events that occurred when she was a child. The professor was not present when Nault sentenced Clifton to serve 365 days in jail, with 357 days suspended. She was also ordered to pay a \$5,000 fine, with \$4,750 suspended. She was also ordered to serve the suspended portion of her sentence on probation, to perform community service, and to pay the professor's attorney fees.

After the hearing the King County Prosecutor's Office admitted the professor had done nothing wrong, but it defended his arrest and the filing of multiple class A felony charges because law enforcement was acting on the best information available at the time about an alleged violent rape. A Sheriff's Office spokesman said that Clifton was "an extremely articulate and credible victim. There was no reason to suspect she wasn't telling the truth."

In a court document filed prior to Clifton's sentencing the professor wrote that he has his job back, but "Even though I did absolutely nothing wrong ... my rape and burglary with sexual-motivation charges, albeit false, will remain in the court records forever." He also requested that he not be publicly identified so the damage already done to his life wouldn't be compounded. (*Justice:Denied* is honoring the professors request by not identifying him or the college where he teaches.)

The professor would have been sentenced to more than a decade in prison if he had been convicted of the false charges. In contrast, for her elaborate premeditated plan to destroy the professor's life, Clifton's punishment is to only serve eight days in jail, and pay a \$250 dollar fine and the professor's legal fees, unless she violates her probation and must serve a portion of her suspended sentence in jail.

Source:

Woman pleads guilty to false rape report, *The Seattle Times*, March 19, 2008.